

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

	:	CIV. NO. 20-2523 (RMB-SAK)
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IN RE RONALD H. TUTTLE	:	ORDER
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This matter comes before the Court upon Defendants' submission of a declaration pursuant to Federal Rule of Civil Procedure 56(d) to adjourn Plaintiff's motions for default/summary judgment until the close of discovery. (Declaration of Matthew J. Mailloux, Docket No. 83 ("Mailloux Declaration").)¹ Defendants submit that discovery, particularly Plaintiff's deposition, must be taken to understand the specific nature of his allegations and to investigate and evaluate Plaintiff's alleged material facts before Defendants can respond to Plaintiff's motions for summary judgment. (*Id.*) For good cause shown,

IT IS therefore on this **19th day of August 2022**,

ORDERED that Defendants' requests to adjourn Plaintiff's motions for default/summary judgment until the close of discovery (Civil Action 20-7192, Docket No. 44; Civil Action 20-2523, Docket No. 78) are **GRANTED**; and it is further

¹ In Civil Action 20-2523, Plaintiff filed a joint motion for default judgment and motion for summary judgment. (Docket No. 78.) His motion for default judgment actually presents a discovery dispute and not a true motion for default judgment under Federal Rule of Civil Procedure 55. Therefore, the motion for default judgment shall also be adjourned and the parties may attempt to resolve any discovery issues until the close of discovery.

ORDERED that the Clerk shall administratively terminate Plaintiff's motions for default/summary judgment (Civil Action 20-2523, Docket No. 78; Civil Action No. 20-7192, Docket No. 44), which Plaintiff may seek to reopen or refile upon the close of discovery; and it is further

ORDERED that the Clerk shall serve a copy of this Order on Plaintiff by regular U.S. mail.

s/Renée Marie Bumb
RENÉE MARIE BUMB
United States District Judge